



## Legislation Details (With Text)

**File #:** 0943-2007      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/6/2007      **In control:** Development Committee

**On agenda:** 6/18/2007      **Final action:** 6/20/2007

**Title:** To authorize the City Clerk to execute and sign, on behalf of the City of Columbus and the Columbus City Council, the Petition for the creation of The Hayden Run Community Development Authority; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/20/2007	1	CITY CLERK	Attest	
6/19/2007	1	MAYOR	Signed	
6/18/2007	1	Columbus City Council	Approved	Pass
6/18/2007	1	COUNCIL PRESIDENT	Signed	
6/7/2007	1	Dev Drafter	Sent for Approval	
6/7/2007	1	CITY ATTORNEY	Reviewed and Approved	
6/7/2007	1	Dev Drafter	Sent to Clerk's Office for Council	
6/6/2007	1	Dev Drafter	Sent for Approval	
6/6/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	

**BACKGROUND:** This ordinance authorizes the City Clerk to execute and sign a petition to initiate the creation of The Hayden Run Community Development Authority to govern the Hayden Run Community Development District. The petition is required in order to create a new community authority as provided under Chapter 349 of the Ohio Revised Code.

The Hayden Run Community Development District encompasses the northwest side of Columbus generally bounded by the Columbus City Limits on the North, the Conrail Railroad Tracks on the East, Hayden Run Road on the South, and Cosgray Road on the West, all to be developed as part of an area characterized by well-balanced and diversified land use patterns to provide facilities for the conduct of commercial, residential, cultural, educational, and recreational activities.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the City Clerk to execute and sign, on behalf of the City of Columbus and the Columbus City Council, the Petition for the creation of The Hayden Run Community Development Authority; and to declare an emergency.

**WHEREAS,** in late 2002, the City of Columbus (the "City") became aware of the development interest in the area of the northwest side of Columbus generally bounded by the Columbus City Limits on the North, the Conrail Railroad Tracks on the East, Hayden Run

Road on the South, and Cosgray Road on the West (the "*District*"); and

**WHEREAS**, based on this interest, the City engaged in a cooperative dialogue with the development community, adjoining municipalities and townships, and various stakeholders that resulted in the Interim Hayden Run Corridor Plan (the "*Interim Plan*"); and

**WHEREAS**, in order to provide for the implementation of the Interim Plan and in accordance with the City's "Pay As We Grow" initiative, the City entered into an unprecedented agreement with MI Homes of Central Ohio, LLC, Dominion Homes, Inc., Huntington Tower Associates, LLC, and Lifestyle Communities Ltd (the "*Developers*") to secure the Developers' commitment to participate in the funding of infrastructure and public services that will benefit the entire northwest quadrant of Franklin County; and

**WHEREAS**, the City and the Developers affirmed this commitment in a Memorandum of Understanding (the "*MOU*") approved by Columbus City Council in Ordinance No. 1433-2004 on November 24, 2004; and

**WHEREAS**, under the terms of the MOU, the City required the Developers to petition to create a new community authority, to be called The Hayden Run Community Development Authority (the "*HRCDA*"), encompassing the District pursuant to Chapter 349 of the Ohio Revised Code; and

**WHEREAS**, the Developers have performed the necessary analysis to produce a viable, market based development program for the District as required by Chapter 349 of the Ohio Revised Code; and

**WHEREAS**, the Developers are each a "developer" within the meaning of Section 349.01(E) of the Ohio Revised Code and will carry out a "new community development program" for the District within the meaning of Section 349.01(B) of the Ohio Revised Code; and

**WHEREAS**, a proposed petition (the "*Petition*") to create the HRCDA is presently on file with the City Clerk; and

**WHEREAS**, an emergency exists in that it is immediately necessary to authorize the City Clerk to execute and sign the aforementioned Petition so that the HRCDA may proceed to creation expeditiously in order to facilitate the development of the City's northwest quadrant and to affirm financing commitments for infrastructure improvements and public services based upon the Pay As We Grow initiative, said immediate action being in the interest of the City in order to preserve, enhance and protect public health, peace, property and safety, **NOW THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the City Clerk be and hereby is authorized to execute and sign on behalf of the City of Columbus and the Columbus City Council the Petition for the purpose of filing that Petition pursuant to Chapter 349 of the Ohio Revised Code to create as a new community authority the HRCDA. The Clerk's signature on that Petition shall indicate the approval of that Petition by the "proximate city" (within the meaning of Section 349.01(M) of the Ohio Revised Code).

**Section 2.** For the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes this Ordinance.